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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/632,141	07/30/2003	Craig Chidlow	P-2256	1824

24214 7590 05/03/2005

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EXAMINER

LUM VANNUCCI, LEE SIN YEE

ART UNIT	PAPER NUMBER
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3611

DATE MAILED: 05/03/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/632,141

Applicant(s)

CHIDLOW ET AL.

Examiner

Lee Lum

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 January 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4, 6-8 and 10-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) all is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. Applicant's election with traverse of Claims 1-4, 6-8 and 10-19 in the reply filed on 1/19/05 is acknowledged. The traversal is on the grounds that "Claims 3, 4, 7 and 8 were not considered generic with respect to Invention 1".

Upon reconsideration, Examiner agrees with the Applicant, and rejoins these Claims. These claims recite a centrifugal clutch, including a sliding member, which is generic to Invention I, a trailer dolly.

Therefore, Claims 5, 9 and 20-24 are withdrawn from further consideration pursuant to 37 CFR 1.142(b), as being drawn to a nonelected species.

Lastly, the restriction requirement is considered proper, and is therefore made FINAL.

(Applicant also remarks "[n]one of Claims 1-19 recite more than a single wheel". However, Claim 1 recites "at least one wheel", emphasis added.)

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 2 and 6 are rejected under 35 U.S.C. 102(b) as being anticipated by Bueckner Sr 3865204.

Bueckner discloses a trailer dolly comprising

Internal combustion engine 2, wheels 7,

Transmission including forward and reverse drives (c5, ln 65, to c6, ln 2),

Clutch 15 (c5, ln 30-33),

Trailer coupler 4,5 coupled to one wheel such that the wheel can support a trailer at the trailer coupler.

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3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

A. **Claims 3, 4 and 7** are rejected under 35 U.S.C. 103(a) as being unpatentable over Bueckner in view of Hayata 4898508.

Bueckner does not disclose the clutch as centrifugal, including a sliding member, while Hayata shows centrifugal clutch 63 including

sliding dog clutch 74 (c4, ln 3-4), which engages forward/reverse drives 71/73 (fig 7, and c4, last paragraph, to c5, first paragraph).

It would have been obvious to one with ordinary skill in the art at the time the invention was made to include this arrangement, as shown in Hayata, as a very well-known clutch to provide reliable operation, thus decreasing cost, and maintaining reliability. It is clear that this type of clutch is employed in various types of vehicles.

B. **Claims 10, 11 and 15** are rejected under 35 U.S.C. 103(a) as being unpatentable over Bueckner in view of Hayata, and in further view of Kyle 1250903.

The previous references do not disclose the clutch as employing chains, while Kyle shows

sliding dog clutch 8 engaging forward sprocket 21, thus driving forward chain 23, or, engaging reverse sprocket 17, thus driving reverse chain 18.

It would have been obvious to one with ordinary skill in the art at the time the invention was made to include this very well-known arrangement, as shown in Kyle, as another clutch configuration for a particular application, thus decreasing costs, and maintaining reliable operation.

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C. **Claims 12 and 13** are rejected under 35 U.S.C. 103(a) as being unpatentable over Bueckner in view of Hayata and Kyle, and in further view of Artzberger 5149225.

The previous references do not disclose forward/reverse pulleys and belts, while Artzberger shows this configuration in fig 1 with pulleys 20, 21, and V-shaped belts 18, 19. It would have been obvious to one with ordinary skill in the art at the time the invention was made to include this alternate band configuration, as shown in Artzberger, to decrease weight and maintenance, thus increase proper operation and convenience. This configuration is very well-known in the art.

D. **Claim 14** is rejected under 35 U.S.C. 103(a) as being unpatentable over Bueckner in view of Hayata, Kyle, and Artzberger, and in further view of Kell 4221272.

The previous references do not disclose notched belts, while Kell shows this type of belt in c3, ln 50-52. While it is clear that the shape of the belt does not affect the proper operation of the invention, it would have been obvious to one with ordinary skill in the art at the time the invention was made to include this type of belt, as shown in Kell, to correspond to similarly-shaped driving members for a particular application, thus ensure proper rotation of the respective components.

E. **Claim 16** is rejected under 35 U.S.C. 103(a) as being unpatentable over Bueckner in view of Hayata and Kyle, and in further view of Keim et al 2703161.

The previous references do not disclose a drive reduction including two rotating members, and a band, while Keim shows this configuration with

Low drive including gears 32, 44 with chain 50, and,

High drive with gears 34, 48 and chain 52.

It would have been obvious to one with ordinary skill in the art at the time the invention was made to include this arrangement, as shown in Keim, as a well-known reduction drive for small vehicles, thus decreasing costs, and increasing reliable operation. It is obvious that there are various, and well-known, types of reduction drives, and the particular type does not affect the proper operation of the respective invention.

F. **Claims 17-19** are rejected under 35 U.S.C. 103(a) as being unpatentable over Bueckner in view of Cline 4318448.

Bueckner discloses all recited elements, but does not disclose a lifting handle. Cline shows this component C, with the motor 40 and wheels 20 located at a center of gravity. It would have been obvious to one with ordinary skill in the art at the time the invention was made to include this configuration, as shown in Cline, to allow the user to easily, and safely, maneuver the balanced dolly around a towed vehicle, thus increase safety and convenience.

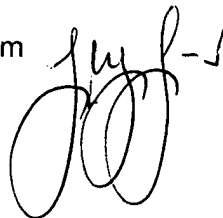
4. The prior art made of record, and not relied upon, is considered pertinent to the disclosure: Koch 6758291, MacKew 3831694, Shock 3705638, Eschenbach et al 3618722, Picard 2634619.

5. Communication with USPTO/Examiner

Any inquiry concerning this communication, or others, should be directed to Ms. Lum at 571 272-6649, M-F, 9-5. If she cannot be reached, her supervisor, Ms. Morris, may be reached at 571 272-6651. Our fax number is 703 872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. For unpublished applications - private PAIR only. For published applications - private or public PAIR. For more information re PAIR - <http://pair-direct.uspto.gov>. Questions re private PAIR - contact the Electronic Business Center (EBC) at 866 217-9197.

Ms. Lee S. Lum
Examiner
4/12/05

A handwritten signature in black ink, appearing to read 'Lum', with a stylized flourish extending from the bottom right.